

# House File 445 - Introduced

HOUSE FILE \_\_\_\_\_  
BY REASONER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to biodiesel fuel, by providing for labeling  
2 requirements, and providing for the extension of a tax credit.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 2307YH 83  
5 da/nh/8

PAG LIN

1 1 Section 1. Section 214A.2, subsection 5, Code 2009, is  
1 2 amended to read as follows:  
1 3 5. Ethanol blended gasoline shall be designated E=xx where  
1 4 "xx" is the volume percent of ethanol in the ethanol blended  
1 5 gasoline and biodiesel fuel shall be designated B=xx where  
1 6 "xx" is the volume percent of biodiesel.  
1 7 Sec. 2. Section 214A.16, subsection 1, Code 2009, is  
1 8 amended to read as follows:  
1 9 1. a. If motor fuel containing a renewable fuel ethanol  
1 10 blended gasoline is sold from a motor fuel pump, the pump  
1 11 shall have affixed a decal identifying the name of the  
1 12 renewable fuel ethanol blended gasoline. The decal shall be  
1 13 different based on the type of renewable fuel dispensed. If  
1 14 the motor fuel pump dispenses ethanol blended gasoline  
1 15 classified as higher than standard ethanol blended gasoline  
1 16 pursuant to section 214A.2, the decal shall contain the  
1 17 following notice: "FOR FLEXIBLE FUEL VEHICLES ONLY".  
1 18 b. If biodiesel fuel is sold from a motor fuel pump, the  
1 19 pump shall have affixed a decal identifying the biodiesel fuel  
1 20 as provided in 16 C.F.R. pt. 306.

1 21 Sec. 3. Section 422.11P, subsection 6, Code 2009, is  
1 22 amended to read as follows:  
1 23 6. This section is repealed January 1, ~~2012~~ 2015.  
1 24 Sec. 4. Section 422.33, subsection 11C, paragraph d, Code  
1 25 2009, is amended to read as follows:  
1 26 d. This subsection is repealed on January 1, ~~2012~~ 2015.  
1 27 Sec. 5. 2006 Iowa Acts, chapter 1142, section 49,  
1 28 subsection 5, is amended to read as follows:  
1 29 5. For a retail dealer who may claim a biodiesel blended  
1 30 fuel tax credit under section 422.11P or 422.33, subsection  
1 31 11C, as enacted in this Act, in calendar year 2011 and whose  
1 32 tax year ends prior to December 31, 2011, the retail dealer  
1 33 may continue to claim the tax credit in the retail dealer's  
1 34 following tax year. In that case, the tax credit shall be  
1 35 calculated in the same manner as provided in section 422.11P  
2 1 or 422.33, subsection 11C, as enacted in this Act, for the  
2 2 remaining period beginning on the first day of the retail  
2 3 dealer's new tax year until December 31, ~~2011~~ 2014. For that  
2 4 remaining period, the tax credit shall be calculated in the  
2 5 same manner as a retail dealer whose tax year began on the  
2 6 previous January 1 and who is calculating the tax credit on  
2 7 December 31, ~~2011~~ 2014.  
2 8  
2 9

### EXPLANATION

2 10 This bill provides that a retail dealer who sells biodiesel  
2 11 fuel must affix a decal to the motor fuel pump identifying the  
2 12 biodiesel fuel when it contains a certain percentage of  
2 13 biodiesel as provided by federal law, and specifically  
2 14 regulations of the federal trade commission. The bill  
2 15 eliminates a state requirement that provides for the general  
2 16 labeling of biodiesel fuel sold at motor fuel pumps that  
2 17 contain any biodiesel.  
2 18 The bill amends provisions creating a biodiesel blended  
2 19 fuel tax credit available to a retail dealer of biodiesel  
2 20 blended fuel during each tax year until the tax credit expires

2 21 on January 1, 2012. The bill extends the expiration date  
2 22 until January 1, 2015.  
2 23 LSB 2307YH 83  
2 24 da/nh/8